



ITW

PTO/SB/21 (09-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

30

Application Number

10/647,031

Filing Date

August 21, 2003

First Named Inventor

Kunitake, Steven T.

Art Unit

1645

Examiner Name

Attorney Docket Number

022041-000810US

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) _____

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

Forms PTO/SB//08A,B, ISR, 3 references,
return postcard

☐

Certified Copy of Priority
Document(s)

☐

Reply to Missing Parts/ Incomplete
Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

Remarks

The Commissioner is authorized to charge any additional fees to Deposit
Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Kawai Lau

Date

June 6, 2005

Reg. No.

44,461

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Timothy S. Parker

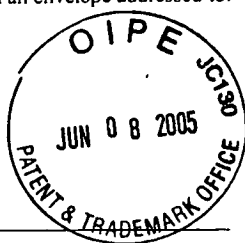
Date

June 6, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 022041-000810US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On June 6, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Timothy L. Parker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven T. Kunitake, et al.

Application No.: 10/647,031

Filed: August 21, 2003

For: PRESERVATION OF RNA
QUALITY AND CONTENT IN TISSUE
SECTIONS DURING
IMMUNOHISTOCHEMISTRY

Examiner:

Art Unit: 1645

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references BC-BE are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the International Search Report issued in conjunction with corresponding PCT application no. PCT/US03/26621, dated May 12, 2004, and in which reference AA was cited.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that pursuant to 37 C.F.R. § 1.97(b)(3), no fee is required for submission of this statement because this submission is before the mailing of a first Office Action on the merits.

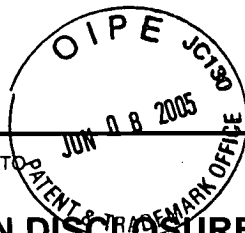
However, if a fee is determined to be required, the Commissioner is authorized to deduct such fee from the undersigned's **Deposit Account No. 20-1430**, referencing 022041000810US.

Respectfully submitted,



Kawai Lau
Reg. No. 44,461

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 858-350-6100
Fax: 415-576-0300
KL:tp
60099246 v1



Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/647,031	
			Filing Date	August 21, 2003	
			First Named Inventor	Kunitake, Steven T.	
			Art Unit	1645	
			Examiner Name		
Sheet	1	of	2	Attorney Docket Number	022041-000810US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-5,852,001	12/22/1998	Vallee, B.L.	
	AB	US-			
	AC	US-			
	AD	US-			
	AE	US-			
	AF	US-			
	AG	US-			
	AH	US-			
	AI	US-			
	AJ	US-			
	AK	US-			
	AL	US-			
	AM	US-			
	AN	US-			
	AO	US-			
	AP	US-			
	AQ	US-			
	AR	US-			
	AS	US-			
	AT	US-			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AU							<input type="checkbox"/>
	AV							<input type="checkbox"/>
	AW							<input type="checkbox"/>
	AX							<input type="checkbox"/>
	AY							<input type="checkbox"/>
	AZ							<input type="checkbox"/>
	BA							<input type="checkbox"/>
	BB							<input type="checkbox"/>

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.
60099246 v1

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/647,031	
			Filing Date	August 21, 2003	
			First Named Inventor	Kunitake, Steven T.	
			Art Unit	1645	
			Examiner Name		
Sheet	2	of	2	Attorney Docket Number	022041-000810US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BC	BERGER, Shelby L., et al. "Inhibition of Intractable Nucleases with Ribonucleoside-Vanadyl Complexes: Isolation of Messenger Ribonucleic Acid from Resting Lymphocytes", <i>Biochemistry</i> 1979, 18: 5143-5149	
	BD	PUSKAS, Robert S., et al. "Effect of Ribonucleoside-Vanadyl Complexes on Enzyme-Catalyzed Reactions Central to Recombinant Deoxyribonucleic Acid Technology", <i>Biochemistry</i> , 1982, 21:4602-4608	
	BE	KANZ, Lothar, et al., "Detection of Messenger RNA's within Single Hemopoietic Cells by in situ Hybridization on Small Slide Areas", <i>Exp. Hematol.</i> , (1988) 16:394-399	
	BF		
	BG		
	BH		
	BI		
	BJ		
	BK		
	BL		
	BM		

Examiner Signature		Date Considered	
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¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.